

Notice of Intent to Certify Sole Source

To: Interested Parties

From: David C. Johnson

CC: ITS Project Number 46431

Date: June 17, 2021

Re: Sole Source Certification Number 4395 for Support and Hosting of the School Based Administrative Claiming (SBAC) System for the Mississippi Department of Education (MDE)

Contact Name: Jay Woodruff

Contact Phone Number: 601-432-8001

Contact E-mail Address: jay.woodruff@its.ms.gov

Sole Source Certification Award Details

Regarding Information Technology Services (ITS) Sole Source Certification Number 4395 for the Mississippi Department of Education (MDE), please be advised that ITS intends to award Business Computers of Memphis, Inc. as the sole source provider for support and hosting of the School Based Administrative Claiming (SBAC) System through June 30, 2022 in an amount not to exceed \$50,000.00. The State intends to competitively re-procure the School Based Administrative Claiming (SBAC) System for MDE by June 30, 2022. If the competitive procurement is not complete by June 30, 2022 then this Sole Source certification is valid until a new vendor is selected and implemented but shall not go beyond June 30, 2024 without a recertification. Please be advised that ITS will determine if additional upgrades or support are within scope during the certification period and may increase the spending authority accordingly. Should Business Computers of Memphis, Inc. change its name during this certification period, then ITS will determine if a recertification is necessary. For an explanation regarding Mississippi state law, policy and procedures for sole source procurements, refer to Attachment C: Sole Source Procurement Overview.

Sole Source Criteria

1. The product or services being purchased must perform a function for which no other product or source of services exist:

The School Based Administrative Claiming (SBAC) program is a federally funded program that is administered under the guidelines of the Centers of Medicaid and Medicare (CMS). The program allows school districts to be reimbursed for administrative duties performed by staff with approved job titles and for some of

the costs associated with school-based health and outreach activities focused toward Medicaid-eligible and potentially eligible students. BCM provides maintenance and support for the School Based Administrative Claiming, Screen Plus, and Nurse Database Application. Over 125 Mississippi school districts use the system. The ScreenPlus application allows billing for school-based services including Early and Periodic Screening, Diagnostic and Treatment Program (EPSDT), Speech Therapy, Occupational Therapy, and Physical Therapy. The software is housed with and administered by the MDE and used by Mississippi School based service providers. The Nurse Database application is software that allows school nurses in local Mississippi schools to submit monthly data to the MDE. The customer's sole source certification request is included as Attachment A.

2. The purchaser must be able to show specific business objectives that can be met only through the unique product or services:

The SBAC program allows school districts to be reimbursed for some of their costs associated with coordinating school-based health services and providing Medicaid outreach activities. SBAC reimbursements to the school districts are from Medicaid federal funds. These services and support are needed to help support the SBAC program, as well as provide an advanced data reporting system that also provides student information, protects privacy, and complies with FERPA (Family Educational Rights and Privacy Act). Any lapse in availability will prevent the continuation of Mississippi School Districts receiving funding for the federal programs used for Medicaid reimbursements. The customer's sole source certification request is included as Attachment A.

3. The product or services must be available only from the manufacturer and not through resellers who could submit competitive pricing for the product or services:

The ScreenPlus Application, Administrative Claiming System (SBAC), Nurse database application, Speech Therapy Occupational Therapy System, and Claim Posting Database to include services were solely developed, produced, and distributed by Business Computers of Memphis, Inc. (BCM) and are proprietary to BCM. The Vendor's sole source certification letter is included as Attachment B.

Schedule

Task	Date
First Advertisement Date	06/15/21
Posting of Notice of Intent to Certify Sole Source Memorandum	06/17/21
Second Advertisement Date	06/22/21
Response Deadline From Objectors	07/01/21 at 3:00 P.M. Central Time
Notice of Award/No Award Posted	Not before 07/02/21

Project Details

The original SBAC system was paid for through a grant from the Bowers Foundation and developed by Business Computers of Memphis, Inc. (BCM) in 2006, without ITS involvement. In March 2011, ITS on behalf of MDE certified the School Based Administrative Claiming (SBAC) System using then current sole source certification procedures from Business Computers of Memphis, Inc. in the amount of \$125,400.00. A Software Support Agreement was executed and

continued as a sole source through June 30, 2017. In May 2017, ITS, on behalf of MDE, issued Notice of Intent to Certify Sole Source Notification Number 3999 for the renewal of support and hosting and received no objections. In May 2019, ITS, on behalf of MDE, issued Notice of Intent to Certify Sole Source Notification Number 4207 for the renewal of support and hosting and received no objections. The current Agreement expires June 30, 2021. MDE has made the business decision to use the existing School Based Administrative Claiming (SBAC) System support and hosting. The total spend to date is \$513,448.00.

Submission Instructions and Format of Response from Objecting Parties

Interested parties who have reason to believe that the renewal of support and hosting of the School Based Administrative Claiming (SBAC) System should not be certified as a sole source should provide information in the following format for the state to use in determining whether or not to proceed with awarding the Sole Source contract to Business Computers of Memphis, Inc.

1.1 Interested Party Information

1.1.1 Contact Name, Phone Number and email address

1.1.2 Company Website URL, if applicable

1.2 Objection to Sole Source Certification

1.2.1 Interested parties must present specific objections to the Sole Source certification using the criteria listed above.

1.2.2 A statement regarding the Interested Party's capabilities as related to this Sole Source Certification Request.

1.3 Comments will be accepted at any time prior to Thursday, July 1, 2021, at 3:00 p.m. (Central Time) to Jay Woodruff at jay.woodruff@its.ms.gov or at the Mississippi Department of Information Technology Services, 3771 Eastwood Drive, Jackson, Mississippi 39211. Responses may be delivered by hand, via regular mail, overnight delivery, e-mail or by fax. Fax number is (601) 713-6380. ITS WILL NOT BE RESPONSIBLE FOR DELAYS IN THE DELIVERY OF RESPONSES. It is solely the responsibility of the Interested Parties that responses reach ITS on time. Interested Parties may contact Jill Chastant to verify the receipt of their Responses. Responses received after the deadline will be rejected.

1.4 Interested Party responses should include the following information:

**SUBMITTED IN RESPONSE TO
Sole Source Certification No. 4395-46431
Accepted until July 1, 2021 @ 3:00 p.m.,
ATTENTION: Jay Woodruff**

If you have any questions concerning the information above or if we can be of further assistance, please contact Jay Woodruff at 601-432-8001 or via email at jay.woodruff@its.ms.gov.

Attachment A: Customer Sole Source Certification Request

Attachment B: Vendor Correspondence
Attachment C: Sole Source Procurement Overview



Sole Source Certification Request

Project Title:		SBAC system renewal	
Contact Information			
Agency/Institution:		Mississippi Department of Education	Contact Person: Teresa Washington
Mailing Address:		P.O. Box 771, Jackson, MS 39205	Phone Number: (601) 359-2228
			Email Address: twashington@mdek12.org
MAGIC Customer #: (Only required from state agencies.)			Division/Dept:
Project Summary			
Description of Project: (Include details of original acquisition if applicable)		The original SBAC system was paid for through a grant from the Bowers Foundation and developed by Business Computers of Memphis, Inc. (BCM) in 2006, without ITS involvement. In March 2011, MDE purchased the School Based Administrative Claiming (SBAC) System using then current sole source certification procedures from Business Computers of Memphis, Inc. in the amount of \$125,400.00. A Software Support Agreement was executed and continued as a sole source through June 30, 2017. In May 2017, ITS, on behalf of MDE, issued Notice of Intent to Certify Sole Source Notification Number 3999 for the renewal of support and hosting and received no objections. In May 2019, ITS, on behalf of MDE, issued Notice of Intent to Certify Sole Source Notification Number 3999 for the renewal of support and hosting and received no objections. The current Agreement expires June 30, 2021. MDE has made the business decision to use the existing School Based Administrative Claiming (SBAC) System support and hosting. The total spend to date is \$513,448.00	
ITS Acquisition Approval (CP-1) should be effective through this date:		06/30/2023	
Cost Estimates (Maximum allowed duration is 3 years per request/project)			
Fiscal Year	Initial Costs	Ongoing Costs	Estimate the Anticipated Lifecycle or Years of Product/System's Effective Use:
FY 22	\$50,000.00		Item Needed by: 06/30/2021
FY			Funds Expire: 06/30/2021
FY	-	-	1 years
Total Estimated Project Cost:		\$50,000.00	
Funding Source: Other Funds - Identify --->		School Based Administrative Claiming program (2054)	
Discuss Funding: (e.g. fund number; how much of needed funding is definite; total project budget; any matching or other non-state funds)		Funds obtained from the School Based Administrative Claiming program (2054) will be used to pay for the project.	
Acquisition Details			
Item or Part Number	Quantity	Description	Building Location(s)
SBAC Support		Remote hardware, software, and application support	MS Department of Education
Nurse database support		Remote hardware, software, and application support	MS Department of Education
Screen Plus Application		Remote hardware, software, and application support	MS Department of Education
Describe Platform and Infrastructure: Where does your agency plan to house or host the requested equipment or service? What resources currently available through ITS are needed (network connectivity, cloud computing/storage, colocation, business resiliency, etc.)?			
NOTE: For equipment or services outside of current ITS available contracts and resources, justification must be attached.			
There is one server housed at MDE, but it is not on the MDE network. The network communication equipment is housed at MDE but connected to its own circuit.			
Sole Source Certification - Certification must be renewed for each revision or continuation of previous Sole Source Approvals.			
Explain why these products or services are the only ones that can meet your needs: (Include specific functionality or special features that make this product or service unique.)		The School Based Administrative Claiming (SBAC) program is a federally funded program that is administered under the guidelines of the Centers of Medicaid and Medicare (CMS). The program allows school districts to be reimbursed for administrative duties performed by staff with approved job titles and for some of the costs associated with school-based health and outreach activities focused toward Medicaid-eligible and potentially eligible students. BCM provides maintenance and support for the School Based Administrative Claiming, Screen Plus, and Nurse Database Application. Over 125 Mississippi school districts use the system. The ScreenPlus application allows billing for school-based services including Early and Periodic Screening, Diagnostic and Treatment Program (EPSDT), Speech Therapy, Occupational Therapy, and Physical Therapy. The software is housed with and administered by the MDE and used by Mississippi School based service providers. The Nurse Database application is software that allows school nurses in local Mississippi schools to submit monthly data to the MDE.	

Specific business requirements to be met by the products/services: (e.g. intended use, how it helps accomplish a task, etc.)		The SBAC program allows school districts to be reimbursed for some of their costs associated with coordinating school-based health services and providing Medicaid outreach activities. SBAC reimbursements to the school districts are from Medicaid federal funds. These services and support are needed to help support the SBAC program, as well as provide an advanced data reporting system that also provides student information, protects privacy, and complies with FERPA (Family Educational Rights and Privacy Act). Any lapse in availability will prevent the continuation of Mississippi School Districts receiving funding for the federal programs used for Medicaid reimbursements.	
Explain why this is the only entity that can provide the products/services: (Include other products/vendors researched or evaluated.)		The ScreenPlus Application, Administrative Claiming System (SBAC), Nurse database application, Speech Therapy Occupational Therapy System, and Claim Posting Database to include services were solely developed, produced, and distributed by Business Computers of Memphis, Inc. (BCM) and are proprietary to BCM.	
Vendor's proposal submitted:		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (select only one)	
Vendor's Certification of Sole Source attached:		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
MAGIC Vendor Code(s) - Vendor must be in MAGIC before a CP-1 can be issued.			
Place Order To Vendor Code:	Vendor Name:	Business Computers of Memphis, Inc.	Remit To Vendor Code:
	Vendor Address:	8363 Wolf Lake Drive, Memphis, TN 38133	Vendor Name:
			Vendor Address:
			Business Computers of Memphis, Inc.
			8363 Wolf Lake Drive, Memphis, TN 38133

By my signature, I certify that, to the best of my professional knowledge: the requested product or services are a sole source as outlined in the ITS Procurement Handbook, Rule 207.2:013-030 Procurement Types: Sole Source, and as outlined in Mississippi Code annotated Section 31-7-13.


 Name and Title (Agency Head/Institution President/CIO)
 State Superintendent

Signature

Date



April 9, 2021

Louis King, Office Director II
Office of Healthy Schools
Jackson, MS 39205

Mr. King,

Thank you for your recent sole source inquiry. This document should be used as your notification that all products and services listed below were solely developed, produced, and distributed by Business Computers of Memphis (BCM), and are proprietary to BCM. We look forward to assisting you in the future with these programs.

Software:

Screen Plus Application
Nurse Database Application
Speech Therapy Occupational Therapy System
Claim Posting Database
Administrative Claiming System (SBAC)

Services:

Implementation Services
(Networking and System Integration Consultation)

Software Development Services
(Creation of Software Applications)

Please do not hesitate to contact me at 901-371-9994 if I can be of any further assistance to you.

Sincerely,

A handwritten signature in black ink, appearing to read "Jerry Flynt", with a long horizontal flourish extending to the right.

Jerry Flynt

The acquisition of information technology for all state agencies and institutions of higher learning (IHLs) is within the scope of the ITS law, found in Mississippi Code Section 25-53-1, et seq., and the policies and procedures established in accordance with this statute, found in the ITS Procurement Handbook posted on the ITS website (www.its.ms.gov).

ITS enabling legislation requires that information technology hardware, software and services be acquired in a manner that insures the maximum of competition among all manufacturers and suppliers of such equipment and services. Accordingly, ITS promotes full and open competition through the issuance of open specifications and the objective evaluation of Interested Party proposals to determine the lowest and best offering to meet an agency's or public university's business requirements. True competition protects the integrity and credibility of purchasing in the public sector and is essential in providing best value and adequate contractual protection for the purchasing entity. In certain limited situations, information technology acquisitions may be sole-sourced.

ITS utilizes the provisions of Public Purchasing Law for Sole Source and Emergency procurements of information technology. Mississippi Public Purchasing Law (Mississippi Code Section 31-7-13) specifies that noncompetitive items available from one source only be exempted from bid requirements (sole-sourced). ITS statute, in Section 25-53-5 (p), permits ITS to utilize provisions in Public Purchasing Law or regulations, when applicable.

Per Public Purchasing law, acquisitions must meet the following criteria to be authorized as sole source:

1. The product or services being purchased must perform a function for which no other product or source of services exists,
2. The purchaser must be able to show specific business objectives that can be met only through the unique product or services, AND
3. The product or services must be available only from the manufacturer and NOT through resellers who could submit competitive pricing for the product or services. The vendor's correspondence regarding this criterion for this project is included as Attachment B.

By policy as documented in the ITS Procurement Handbook, acquisitions of IT services must include the following information to be authorized as sole source:

1. An explanation about why the amount to be expended is reasonable, and
2. An explanation regarding the efforts by the purchaser to obtain the best possible price.

For state agencies, approval of all technology purchases with a lifecycle cost of \$5,000 or less, including sole source purchases, has been delegated to the agency. The ITS Procurement Limits Policies for Agencies (a section in the ITS Procurement Handbook) require a minimum of two competitive written bids or proposals for technology purchases with a lifecycle cost over \$5,000 but not over \$50,000 (not over \$25,000 for projects funded by the American Recovery and Reinvestment Act). Since, for single source items, the procuring agency will be unable to obtain two written bids, ITS must certify all sole source acquisitions of information technology with a lifecycle cost greater than \$5,000.

Institutions of Higher Learning (IHLs) or public universities have been delegated the authority to certify sole source procurements up to \$250,000 lifecycle cost under the ITS Procurement Limits Policies for IHLs (a section in the ITS Procurement Handbook). For the certification of sole source procurements delegated to the CIOs at public universities, the public university must follow ITS' Sole Source Procedure, including advertisement of the intent to award as sole source. Institutions certifying a sole source purchase must ensure the criteria listed above are met and documented

in writing by the institution and the Interested Party prior to certifying a product or service as sole source. Sole source documentation must be reviewed and approved by the IHL's CIO for any sole-source certification above \$5,000. All sole source documentation should be retained in the public university's procurement file. Sole source requests above \$250,000 lifecycle cost require ITS approval.

Other than the delegations outlined above, all sole source technology procurements must be certified by ITS. The customer's Sole Source Certification Request for this project is included as Attachment A.

ITS thoroughly reviews Sole Source Certification Requests, determining if competing products and/or services exist. If so, ITS conducts a competitive procurement. If ITS' review confirms the sole source, then a Sole Source advertisement is issued, giving other Interested Parties an opportunity to identify competing products and/or services. Based upon the results of the Sole Source advertisement, ITS will either certify the request as a sole source or conduct a competitive procurement.